

ENTERED

August 20, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MARY LOUZI,

Plaintiff,

VS.

FORT BEND COUNTY, TEXAS, *et al*,

Defendants.

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CIVIL ACTION NO. 4:18-CV-04821

**ORDER PARTIALLY CONVERTING DEFENDANTS' MOTION TO DISMISS INTO A
MOTION FOR SUMMARY JUDGMENT PURSUANT TO F.R.C.P. 12(d)**

At the August 18, 2020, hearing on Defendants' Motion to Dismiss, Defendants alleged that the Fort Bend County Jail's suicide-prevention policy—quoted at length in Plaintiff's Second Amended Complaint (Doc. 32 at 7–9)—was issued after decedent's suicide. A clarification of this chronology would substantially aid the Court's resolution of the pending Motion to Dismiss as to Plaintiff's failure-to-train claims against the County and Sheriff Nehls. Therefore, the Court shall, pursuant to Federal Rule of Civil Procedure 12(d), convert Defendants' Motion to Dismiss into a motion for summary judgment on Plaintiff's failure-to-train claims only (Doc. 32 ¶ 34). The parties are allowed 40 days to conduct discovery concerning the timing of the County's issuance of its suicide-prevention policy and to submit relevant evidence to the Court.

IT IS SO ORDERED.

SIGNED this 19th day of August, 2020.


